



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on June 29, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 96-1387
CORRECTED NOTICE¹

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: **Abaco Air Ltd.**

Date Filed: July 29, 1997

Relief requested: Exemption from 49 U.S.C. 41301 to conduct charter foreign air transportation of persons, property and mail between the Bahamas and Florida, using small aircraft.

If renewal, date and citation of last action: September 6, 1996. See Notice of Action Taken, Docket OST-96-1387.

Applicant representative: Denise D. Kelly (242) 367-2266

Responsive pleadings: None filed

DISPOSITION

Action: Approved

Action date: January 7, 1998

Effective dates of authority granted: January 7, 1998-January 7, 1999

Basis for approval (bilateral agreement/reciprocity): Reciprocity with the Bahamas

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

☒ Standard exemption conditions (attached) ☐ Foreign air carrier permit conditions (Order - -)

Special conditions/Partial grant/Denial basis/Remarks: In the conduct of the operations authorized, the applicant may use only small aircraft (*i.e.*, aircraft designed to have a maximum passenger capacity of not more than 60 seats or a maximum payload capacity of not more than 18,000 pounds).

Action taken by: **Paul L. Gretch, Director**
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) the applicant was operationally and financially qualified to perform its proposed operations; (3) grant of the exemption was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation.html>.*

¹ In issuing the original Notice of Action Taken to the applicant, we inadvertently omitted the condition limiting the applicant's operations to those involving small aircraft. We had imposed this condition on earlier authority we granted to the applicant (see Order 91-10-51).